

# Earned Release Date (ERD) Housing Voucher Program

## Frequently Asked Questions

### Basics

#### What is the ERD Housing Voucher Program?

The Earned Release Date (ERD) Housing Voucher Program was established by a law that went into effect in 2009. It was designed to save taxpayers money by decreasing the number of offenders who have earned their early release through good behavior and rehabilitative programming yet cannot afford a safe release address and remain in prison.

#### Who uses this program?

Offenders who use this program largely reflect the department's basic inmate demographics. Since the program's criteria and application process does not discriminate against applicants in any way, participation is based on financial need, behavior and compliance alone.

#### How big is this program?

Approximately 1,000 offenders receive housing vouchers each year.

Approximately 7,500 offenders complete their sentences and release from Department of Corrections' facilities each year. Approximately half of all releasing offenders do not require an approved plan to be released and cannot use this program. Of the remaining offenders who do require an approved release plan, two thirds are able to fund and produce their own transition. This usually happens with assistance from family or other personal resources. The remaining offenders are able to use this program if their behavior and compliance with rehabilitative programming meet program standards. Offenders who do not meet these standards remain in prison until their maximum sentence has been completed.

#### Does the Department of Corrections own, regulate or license transitional housing facilities?

No. Regional Housing Specialists and Community Corrections Officers work with existing private property owners or landlords to make the best use of available, existing resources. Agency staff members do not direct or advise existing or potential housing providers on where to establish transitional housing facilities or to what sorts of clients they should provide services. Transitional housing facilities are required to abide by the same local code and regulatory requirements as any legally operated business.

#### Why is this necessary?

Prior to the existence of this program the state paid approximately \$14 million (2008) to house inmates in prison who had earned early release yet lacked the financial resources necessary to secure an approvable release address. Providing a modest period of financial assistance creates a large cost savings effect for taxpayers and reduces the likelihood that the releasing offender will reoffend against the community.

### Eligibility Criteria

## **What criteria must an offender meet to participate in the ERD Housing Voucher Program?**

To be eligible, an offender must meet the following criteria:

- Be at or beyond their ERD.
- Lack sufficient funds or resources to secure an approved release address.
- Be at risk of remaining incarcerated past the ERD without assistance.
- Agree to participate in additional transitional support programming.
- Scheduled to be under DOC community supervision during the period of assistance.
- Be in compliance with all facility rules and their Custody Facility Plan while incarcerated and with all conditions of supervision once released to the community.

## **Can an offender's eligibility be terminated at any time?**

Yes. An offender's eligibility may be terminated due to violation behavior or due to failure to cooperate with the agreed-upon programming stipulated in the Housing Voucher Participant Agreement signed by the offender.

## **Eligibility prior to ERD**

### **Why can't offenders be eligible to receive housing voucher funding before their ERD?**

Offenders and their assigned classification counselors are expected to work together to develop release plans which include funding from the offender's own resources to secure release on the ERD. Were the department to provide funding before the ERD there would be no reason for the offender to contribute to his or her own transition.

## **What sort of justification is required to permit an offender to enter the program prior to the ERD?**

Classification Counselors or Work Release Community Corrections Officers may request an offender be provided with assistance 30 days prior to the ERD if a written justification is submitted. An acceptable justification should include any special circumstances which have prevented the offender from being able to produce his own funding or release plan. Examples are disability, illness or providing earnings as support for family members in need. The purpose of this requirement is to establish that the offender has made an honest effort to contribute to his or her own transition.

## **Eligibility Date**

### **What is the Eligibility Date for consideration?**

Offenders 30 days from their ERD who meet the program's other criteria are to be considered eligible for rental assistance. A written justification for Pre-ERD eligibility must be provided by the assigned classification counselor. This justification should be provided in the comments section of the program's required application.

## **How does an offender's maximum sentence or maximum confinement date affect program eligibility?**

### **The department cannot fund release plans past an offender's maximum confinement date.**

The ERD Housing Voucher Program is made possible through legislation which allows the department to utilize funds to assist offenders incarcerated past their Earned Release Date who would otherwise remain in custody because they do not have adequate financial resources to secure an appropriate release address.

Since an offender would be released on their maximum release date regardless of an approved plan, they no longer qualify for assistance.

While risk mitigation or a reduction in homelessness may be additional benefits of this program, the use of housing voucher funds must result in a cost savings for the department to meet the bill's intent. In situations where an offender's maximum release date falls during a voucher-eligible month and the offender will remain under supervision, the full month's rent will be provided. Offenders without supervision are not eligible.

The minimum acceptable timeframe for issuing a one-month voucher is 30 days of savings (releasing 30 days before the maximum release date). These offenders would not qualify for any additional assistance for the months following their maximum release dates.

While some clients will not be appropriate for earned release due to their own behavior, transitioning appropriate clients long before their maximum release dates will save taxpayer money and increase the offender's likelihood to succeed.

## **More Eligibility Information**

### **Are any offenders NOT eligible for ERD Housing Voucher Program funds?**

Offenders are not eligible for the program if they:

- Have resources and would be releasing on their ERD anyway.
- Would not be under supervision by DOC following release.
- Refuse to sign the Housing Voucher Participant Agreement
- Will release Monetary (on their ERD) regardless of whether any previously incomplete term of supervision is pending (tolling).
- Are not in compliance with all sentence requirements, facility rules and their Custody Facility Plan while incarcerated or with all conditions of supervision once released to the community.

### **If an offender has already completed programs in prison will the offender have to redo them in the community?**

Offenders will be required to participate in some type of DOC-approved, "wraparound" programming. It is possible that there might be a continuation of similar programs already completed in the institution. As is the case now, the Community Corrections Officer will determine what is needed based on individual risk factors, need areas and available resources.

### **Are offenders housed in Work Release facilities eligible to receive rental assistance from the ERD Housing Voucher Program?**

Yes. The process for establishing eligibility and requesting benefits for these offenders is the same used for offenders who are housed in state prisons.

## **Funds and Vendor Payments**

### **How much money is available to eligible offenders through the ERD Housing Voucher Program?**

An eligible offender can receive a maximum amount of \$15 per day, not to exceed three months.

### **Who receives the funds through the ERD Housing Voucher Program?**

Funds are delivered to housing vendors electronically or by mail directly from the state's Office of Financial Management. Offenders never directly receive or handle funds or checks.

### **Can the entire \$1500 be sent in advance?**

No. An eligible offender may receive \$15 a day for a period of three months and no more than \$500 in any month (recognizing that \$500/month is slightly more than \$15/day). Continued funding requires continued compliance. We recognize this limitation will exclude some otherwise promising release plans.

### **What happens if an offender needs only \$200 to subsidize what they have already saved for the first month?**

\$15 a day will be made available. If the entire benefit is not needed, it will not be approved. In many cases offenders with small amounts of money saved may need the full monthly amount to pay for rent, which allows them to use their savings for food, clothes and transportation.

### **Must an offender pay this money back?**

No. DOC is not going to try to collect loaned money or levy fines on offenders who are defined as eligible and use the funds appropriately.

### **The offender has \$1,500 on his/her books. Are they still eligible for the voucher?**

It would be difficult to imagine a circumstance where a voucher would be needed if the offender has this amount on hand. We will not be adding voucher money to an offender's savings as an enhancement.

### **Who will be responsible for paying the deposit?**

We will not provide money to hold a room vacant while the offender's release plan is being investigated or during any required notification period. We know this will eliminate some housing options. We expect there will be situations where the offender and family may be able to provide funds for a deposit in conjunction with the ERD Housing Voucher.

### **Is it possible for an eligible offender to release to an address such as an apartment that requires a deposit or fees as part of the rental agreement?**

Yes; however, the maximum amount available through a voucher is \$15 per day for a maximum term of three months. Due to monthly variances in the calendar year the department will provide a maximum benefit of \$500 per month. All refundable deposits or fees paid by the department are to be repaid to the department. The offender must negotiate with the vendor to apply any deposits or additional fees above the monthly allowed limit.

### **Could a voucher be used for a hotel or motel?**

An Offender Release Plan that is approved with the assistance of a voucher is subject to the same criteria as any other plan. Motels and hotels are commonly used for release plans.

**Can the voucher money be sent to a family member or friend with whom the offender will be releasing?**

This is an unlikely scenario and will be carefully assessed if proposed. In most cases, such as when the offender is returning to the family or friend's home, it will not be approved. This may be possible if a friend or relative is a landlord and has a room available for rent that may be approved.

**Other Topics**

**If an offender violates or absconds, leaving behind a room which has been paid for, can staff let another offender who does not qualify for the program stay in that room?**

No. The ERD Housing Voucher Program provides assistance to offenders so they can pay their rent during a brief transition period of up to 90 days. These monies are provided to the offender in a manner that prevents the offender from directly handling the funds. Once funds have been provided, this is considered payment by or on behalf of the offender to the housing provider. The dwelling, whether occupied by the offender or abandoned, does not belong to the Department of Corrections. The housing provider has no obligation to refund or redistribute funds for services which have been rendered or have been contracted with the offender to be provided. The Department is not renting space from housing providers and cannot use or redirect space or rooms rented by offenders as a department resource.